

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In Re: Jerald David Shuler : Case No: 17-52922  
Debtor(s) : Chapter 13 Judge: CHARLES M. CALDWELL  
: 341 Date: June 21, 2017

**CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION**

Now comes Frank M. Pees, Standing Chapter 13 Trustee, and objects to the confirmation of the plan and requests that the Court enter an Order denying confirmation for the reasons set forth below and dismissing the case, pursuant to 11 U.S.C. §1307. This objection supersedes any prior objection filed in this case by the Trustee.

Above median income \_\_\_\_\_ Below median income  X

X  **11 U.S.C. §1325(a)(1)**-Plan does not comply with all provisions of Chapter 13 of Title 11 and the other applicable provisions of Title 11:

X  Trustee is unable to accurately determine length. **Trustee is unable to determine length as Motion and Order has not been filed and entered, as proposed by Paragraphs 5.4.1 of Debtor's Amended Plan.**

X  Debtor has failed to file a complete list of creditors, statement of financial affairs, schedules including current income and expenses, or other filing requirements, pursuant to 11 U.S.C. § 521. **Schedule F fails to disclose consideration for claim for the following debts: Rick Hedges.**

X  Other: **Plan (summary box) does not check the box marked "This Plan limits the amount of a secured claim based on a valuation of the collateral securing the claim"; however, section 5.1.4 reflects treatment for Ohio University Credit Union. Plan (summary box) does not check the box marked "This Plan avoids a security interest or lien; See paragraphs 5.4.1 and/or 5.4.2" however, section 5.4.1 reflects treatment for H&S Financial Inc. Plan nonstandard provision #2 provides for conduit student loan payment of \$171.00/mos., is this the contractual payment amount?**

Pursuant to LBR 3015-2(a), amendments necessary to place the plan in a posture for confirmation must be filed at least ten (10) days prior to the hearing on confirmation set for August 28, 2017, unless Debtor(s) have entered into an Agreed Order with the Trustee and so are bound by the terms of that Order.

Therefore, the Trustee prays that confirmation is denied and this case be dismissed for cause pursuant to §1307(c).

**TERMS OF THE PLAN:**

**Plan Payments: \$788.00/REM**

**Best Interest Dividend: 0%     Dividend: 1%**

**Length: 0 Months**

Further, Trustee notes that:

  X   Debtor(s) have failed to attend Debtor Orientation.

Dated: June 28, 2017

Respectfully submitted,

/s/ Frank M. Pees

Frank M. Pees  
Chapter 13 Trustee  
130 East Wilson Bridge Road #200  
Worthington, Ohio 43085  
(614) 436-6700  
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CERTIFICATE OF SERVICE

The undersigned hereby certified that on the date shown below a copy of the Trustee's Objection to Confirmation was served electronically on the Office of the United States Trustee and Debtor's attorney, and on the Debtor(s) at the address as currently shown in the Trustee's records by regular first class mail, postage prepaid.

Dated: June 28, 2017

/s/ Frank M. Pees

Frank M. Pees

Chapter 13 Trustee

130 East Wilson Bridge Road #200

Worthington, Ohio 43085-6300